

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed Emergency After Notice

Pursuant to the authority of Iowa Code sections 234.6(6) and 249A.4, the Department of Human Services amends Chapter 65, “Food Assistance Program Administration,” and Chapter 75, “Conditions of Eligibility,” Iowa Administrative Code.

The amendments remove the requirement for a client to verify dependent care expenses for determination of Food Assistance eligibility and of Medicaid eligibility related to the Family Medical Assistance Program. Both programs allow a deduction for the expenses of care for children or dependent adults when the client is working or looking for a job. Federal regulations do not require verification of these expenses, and care expenses have not been an error-prone area. The Department is streamlining eligibility requirements in this area as a means of dealing with higher caseloads. Questionable claims will still be subject to verification.

These amendments do not provide for waivers in specified situations because a reduction in documents that need to be supplied is a benefit to clients.

Notice of Intended Action on these amendments was published in the Iowa Administrative Bulletin on December 16, 2009, as **ARC 8407B**. The Department received no comments on the Notice of Intended Action. These amendments are identical to those published under Notice of Intended Action.

The Council on Human Services adopted these amendments on February 10, 2010.

The Department finds that these amendments reduce restrictions on clients with dependent care expenditures by streamlining procedures. Therefore, these amendments are filed pursuant to Iowa Code section 17A.5(2)“b”(2), and the normal effective date of these amendments is waived.

These amendments are intended to implement Iowa Code sections 234.12 and 249A.4.

These amendments became effective on February 10, 2010.

The following amendments are adopted.

ITEM 1. Rescind and reserve paragraphs **65.22(1)“b,” “d” and “e.”**

ITEM 2. Amend rule 441—65.33(234) as follows:

441—65.33(234) Dependent care deduction. Households shall be allowed a deduction for the amount of ~~verified~~ monthly dependent care expenses.

ITEM 3. Amend subparagraph **75.57(2)“b”(7)** as follows:

(7) ~~The~~ If the amount claimed is questionable, the expense shall be verified by a receipt or a statement from the provider of care and. The expense shall be allowed when paid to any person except a parent or legal guardian of the child, or another member of the eligible group, or to any person whose needs are met by diversion of income from any person in the eligible group.

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 3/10/10.